

**SUPREME COURT MINUTES
WEDNESDAY, JULY 12, 2006
SAN FRANCISCO, CALIFORNIA**

S122590

Rehearing denied.

FREEMAN (FRED H.) ON H.C.

Chin and Corrigan, J.J., were recused and did not participate.

S142947 B179022 Second Appellate District, Div. 5 **ZENGEN, INC. v. COMERICA BANK**
Petition for review granted - (civil case).

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, J.J.

S143287 F047536 Fifth Appellate District

Petition for review granted - civil case).

HERNANDEZ v. CITY OF HANFORD

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, J.J.

S143326 F046252 Fifth Appellate District

Petition for review granted - (civil case).

**DINUBA, CITY OF v. COUNTY OF
TULARE**

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, J.J.

S143165 B183545 Second Appellate District, Div. 1 **DAHMS v. DOWNTOWN POMONA
PROPERTY AND BUSINESS**

Review granted/briefing deferred (rule 29.1) - civil case.

Petition for review granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *Silicon Valley Taxpayers' Assn. v. Santa Clara County Open Space Authority*, S136468 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, J.J.

S143492 E039689 Fourth Appellate District, Div. 2 **COUNTY OF RIVERSIDE v. S.C.
(MEYER)**

Review granted/briefing deferred (rule 29.1) - civil case.

Petition for review GRANTED. Further action in this matter is deferred pending consideration and disposition of a related issue in *Mt. San Jacinto Community College v. Azusa Pacific University*, S132251 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, J.J.

S142620 B184870 Second Appellate District, Div. 4 **HURD v. S.C. (PEOPLE)**

Review granted; transferred to CA 2/4 to issue alteration writ. Petition for review granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its April 4, 2006, order denying mandate and to issue an alternative writ on the question of whether Penal Code section 1054.9 authorizes a motion for the discovery of peace officer personnel records made pursuant to Evidence Code section 1043 and *Pitchess v. Superior Court* (1974) 11 Cal.3d 531. (See *Steele* (2004) 32 Cal.4th 682, 688.)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, J.J.

S130457 D044209 Fourth Appellate District, Div. 1 **J. (OLIVIA),**
Dismissed per rule 29.3(b), and remanded to CA 4/1.

Kennard, J., would retain this matter for a decision by this court.

Votes: George, C.J., Baxter, Werdegarr, Chin, Moreno, and Corrigan, J.J.

S101300**SAN NICOLAS (RODNEY) ON H.C.**

Petition for writ of habeas corpus denied (AA).

The petition for writ of habeas corpus, filed on October 11, 2001, is denied, as follows: Claims I and II are denied on the merits. Claim III is denied on the merits. To the extent that this claim reasserts issues that were raised and rejected on appeal, it is procedurally barred under *Harris* (1993) 5 Cal.4th 813, 824-829, and *Waltreus* (1965) 62 Cal.2d 218, 225. Claim IV is denied on the merits. Claim V is denied on the merits. To the extent that this claim is based on the record and was not raised on appeal, it could and should have been raised on appeal and hence is procedurally barred under *Harris, supra*, 5 Cal.4th at page 825, footnote 3, and *In re Dixon* (1953) 41 Cal.2d 756, 759. Claim VI is denied on the merits. Claim VII is denied on the merits. To the extent that this claim reasserts issues that were raised and rejected on appeal, it is procedurally barred under *In re Harris, supra*, 5 Cal.4th at pages 824-829, and *In re Waltreus, supra*, 62 Cal.2d at page 225. Claim VIII is denied on the merits. To the extent that this claim is based on the record and was not raised on appeal, it could and should have been raised on appeal and hence is procedurally barred under *In re Harris, supra*, 5 Cal.4th at page 825, footnote 3, and *In re Dixon, supra*, 41 Cal.2d at page 759. To the extent that this claim reasserts issues that were raised and rejected on appeal, it is procedurally barred under *In re Harris, supra*, 5 Cal.4th at pages 824-829, and *In re Waltreus, supra*, 62 Cal.2d at page 225. Claim IX is denied on the merits. To the extent that this claim reasserts issues that were raised and rejected on appeal, it is procedurally barred under *In re Harris, supra*, 5 Cal.4th at pages 824-829, and *In re Waltreus, supra*, 62 Cal.2d at page 225. Claims X, XI, and XII are denied on the merits. Claim XIII is denied on the merits. To the extent that this claim is based on the record and was not raised on appeal, it could and should have been raised on appeal and hence is procedurally barred under *In re Harris, supra*, 5 Cal.4th at page 825, footnote 3, and *In re Dixon, supra*, 41 Cal.2d at page 759. To the extent that this claim reasserts issues that were raised and rejected on appeal, it is procedurally barred under *In re Harris, supra*, 5 Cal.4th at pages 824-829, and *In re Waltreus, supra*, 62 Cal.2d at page 225. Claim XIV is denied on the merits. Claim XV is denied on the merits. To the extent that this claim is based on the record and was not raised on appeal, it could and should have been raised on appeal and hence is procedurally barred under *In re Harris, supra*, 5 Cal.4th at page 825, footnote 3, and *In re Dixon, supra*, 41 Cal.2d at page 759. Claims XVI and XVII are denied on the merits. Claim XVIII, through which petitioner seeks court-ordered discovery, is denied without prejudice to petitioner's opportunity to seek relief in the trial court pursuant to Penal Code section 1054.9. (*In re Steele* (2004) 32 Cal.4th 682, 692.)

S122590**FREEMAN (FRED H.) ON H.C.**

Petition for writ of habeas corpus denied (AA).

The petition for writ of habeas corpus, filed February 10, 2004, is denied, except as to claim 24 and paragraph 4 of claim 26, which were resolved via a separate opinion. (See *In re Freeman* (2006) 38 Cal.4th 630.)

Chin and Corrigan, J.J., were recused and did not participate.

S142728

E037089 Fourth Appellate District, Div. 3

PEOPLE v. JOHNSON

Petition for review denied.

S142763

A108618 First Appellate District, Div. 1

MOONEY v. CASPARI

Petition for review & depublication request denied.

S142821

D045945 Fourth Appellate District, Div. 1

**SHER v. SAN DIEGUENO HILLS
HOMEOWNERS ASSOCIATION**

Petition for review & publication request denied.

S142853

B178311 Second Appellate District, Div. 5

PEOPLE v. BOYD

Petition for review denied.

S142871

C046259 Third Appellate District

PEOPLE v. JIMENEZ

Petition for review denied.

S142900

E037585 Fourth Appellate District, Div. 2

PEOPLE v. PUGH

Petition for review denied.

S142902

E036916 Fourth Appellate District, Div. 2

PEOPLE v. VERDIN

Petition for review denied.

S142909

G035672 Fourth Appellate District, Div. 3

**BEST BUY STORES v. S.C.
(BOLING)**

Petition for review & depublication request denied. Request for judicial notice denied.

S142928

B170095 Second Appellate District, Div. 8

PEOPLE v. DEVORE

Petitions for review denied.

S142936

B190353 Second Appellate District, Div. 1

POLK (ROBERT) ON H.C.

Petition for review denied.

S142962 B185462 Second Appellate District, Div. 4 **DEMIRDJIAN (MICHAEL) ON H.C.**
Petition for review denied.

S142985 A109966 First Appellate District, Div. 3 **ALAMEDA, COUNTY OF v. ACE
RECOVERY SERVICES**
Petition for review & publication request denied.

S142990 G035694 Fourth Appellate District, Div. 3 **A.F. BROWN ELECTRICAL SUPPLY**
Petition for review denied.

S142993 F047499 Fifth Appellate District **PEOPLE v. JOHNS**
Petition for review denied.

S142997 A108770 First Appellate District, Div. 3 **PEOPLE v. GONZALES**
Petition for review denied. Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Sloan*, S132605.

S143000 C052189 Third Appellate District **BOWEN (BURCH MICHAEL) ON H.C.**
Petition for review denied.

S143002 B178520 Second Appellate District, Div. 4 **PEOPLE v. GONZALEZ**
Petition for review denied.

S143004 C047178 Third Appellate District **PEOPLE v. SPENCER**
Petition for review denied. Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S143011 D048042 Fourth Appellate District, Div. 1 **FINNEY (DAVID) ON H.C.**
Petition for review denied.

S143021 B188284 Second Appellate District, Div. 3 **LAGADIA (JOFFREY) ON H.C.**
Petition for review denied.

S143044 B178314 Second Appellate District, Div. 4 **PEOPLE v. JOHNSON**
Petition for review denied.

S143048 B173832 Second Appellate District, Div. 1 **MICHAEL v. DENBESTE
TRANSPORTATION, INC.**

Petition for review denied.

Werdegarr and Moreno, J.J., are of the opinion the petition should be granted.

S143055 E037066 Fourth Appellate District, Div. 2 **PEOPLE v. LOPEZ**
Petition for review denied.

Kennard, J., is of the opinion the petition should be granted.

S143072 A093450 A094395 First Appellate District, Div. 2 **BORISSOFF v. TAYLOR
AND FAUST**
Petition for review & publication request denied.

S143086 B189424 Second Appellate District, Div. 2 **GILLETTE v. S.C. (AMERICAN
NATIONAL TRADING CORP.)**
Petition for review denied.

S143103 B173875 Second Appellate District, Div. 8 **PEOPLE v. VASQUEZ**
Petitions for review denied.

S143110 F047625 Fifth Appellate District **PEOPLE v. GOMEZ**
Petition for review denied.

S143114 G035060 Fourth Appellate District, Div. 3 **MAUDLIN v. PACIFIC DECISION
SCIENCES CORPORATION**
Petition for review denied.

S143125 A113556 First Appellate District, Div. 4 **LETTIER (KEITH) ON H.C.**
Petition for review denied.

Corrigan, J., was recused and did not participate.

S143134 C050392 Third Appellate District **PEOPLE v. STONE**
Petition for review denied.

Moreno, J., is of the opinion the petition should be granted.

S143151 B190082 Second Appellate District, Div. 8 **MAGANA (FREDDIE D.), IN RE**
Petition for review denied.

S143157 F045703 Fifth Appellate District **PEOPLE v. GENTRY**
Petition for review denied.

Baxter, J., was recused and did not participate.

S143159 C047880 Third Appellate District **PEOPLE v. LOZANO-MARQUEZ**
Petition for review denied.

S143168 B190376 Second Appellate District, Div. 3 **CERVANTES (JESUS) ON H.C.**
Petition for review denied.

S143173 H028214 Sixth Appellate District **PEOPLE v. PEREZ**
Petition for review denied.

S143203 C049488 Third Appellate District **PEOPLE v. BAROCIO**
Petition for review denied.

S143210 C049765 Third Appellate District **PEOPLE v. TRUJILLO**
Petition for review denied.

S143224 B189632 Second Appellate District, Div. 6 **BROWN (RICHARD W.) ON H.C.**
Petition for review denied.

S143273 E038414 Fourth Appellate District, Div. 2 **PEOPLE v. DEMARIA**
Petition for review denied

S143328 E040322 Fourth Appellate District, Div. 2 **MCCARTNEY (JAMES E.) ON H.C.**
Petition for review denied.

S143329 D048078 Fourth Appellate District, Div. 1 **WALKER (STEVEN) ON H.C.**
Petition for review denied.

S143330 A109907 First Appellate District, Div. 1 **MCGRAW HILL v. FRANCHISE**
Petition for review denied. **TAX BOARD**

S143338 F048248 Fifth Appellate District
Petition for review denied.

PEOPLE v. NORMAN

S143360 H030064 Sixth Appellate District
Petition for review denied.

**NIKBAKHSH-TALI (ESFANDIAR)
ON H.C.**

S143367 B155456 Second Appellate District, Div. 4
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. SWAIN

S143380 E035820 Fourth Appellate District, Div. 2
Petition for review denied.

PEOPLE v. MELGOZA

S143381 C052283 Third Appellate District
Petition for review denied.

ROSENBLUM (PHILLIP) ON H.C.

S143386 G034763 Fourth Appellate District, Div. 3
Petition for review denied.

PEOPLE v. DAVILA

S143403 B180213 Second Appellate District, Div. 2
Petition for review denied.

ADAMAKIS v. DOE 3

S143406 D048434 Fourth Appellate District, Div. 1
Petition for review denied.

**HIGHLANDS INSURANCE v. S.C.
(LAVENDER)**

S143408 A110441 First Appellate District, Div. 3
Petition for review denied.

**HILLSBORO PROPERTIES v.
ROHNERT PARK, CITY OF**

S143419 D045789 Fourth Appellate District, Div. 1
Petition for review denied.

WARREN v. SHARABI

S143424 C048306 Third Appellate District **PEOPLE v. LIMONES**
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S143425 D046316 Fourth Appellate District, Div. 1 **DSO LEASING v. ECO AIR PRODUCTS**
Petition for review denied.

S143443 C049449 Third Appellate District **ELLEDGE v. CULBERTSON (MARVEL)**
Petition for review denied.

S143444 B178413 Second Appellate District, Div. 7 **NEWMAN v. LOCKE**
Petition for review & publication request denied.

S143461 E036676 Fourth Appellate District, Div. 2 **PEOPLE v. GUTIERREZ**
Petition for review denied

S143486 B183521 Second Appellate District, Div. 5 **PEOPLE v. STEARNS**
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S143488 F047372 Fifth Appellate District **WAL MART STORES, INC. v. TURLOCK, CITY OF**
Petition for review & depublication request denied.

Chin, J., was recused and did not participate.

S143494 G033040 Fourth Appellate District, Div. 3 **PEOPLE v. GUEST**
Petition for review denied.

S143502 E037333 Fourth Appellate District, Div. 2 **VIOLANTE v. COMMUNITIES SOUTHWEST DEVELOPMENT**
Petition for review & depublication request denied.

S143527 H029810 Sixth Appellate District **ROADWAY EXPRESS v. W.C.A.B. COMPENSATION APPEALS BOARD**
Petition for review and application for stay denied.

S143529	D045271 Fourth Appellate District, Div. 1	PEOPLE v. DYE
Petition for review denied.		
S143536	C052458 Third Appellate District	JOHNSON v. S.C. (MILLER)
Petition for review denied.		
S143550	A109018 First Appellate District, Div. 1	BOSCOE v. PORT LUDLOW ASSOC.
Petition for review denied.		
S143564	B189997 Second Appellate District, Div. 5	GUBINS (TORVALDS) ON H.C.
Petition for review denied.		
S143590	C052494 Third Appellate District	HARRELL (HULEN) ON H.C.
Petition for review denied.		
S143591	A113820 First Appellate District, Div. 1	WHITE v. S.C. (PEOPLE)
Petition for review denied.		
S143592	H029898 Sixth Appellate District	GONZALEZ v. W.C.A.B. (J.M. SMUCKERS)
Petition for review denied.		
S143593	H030003 Sixth Appellate District	EARLS (MARI-LYNNE) v. S.C. (AMDAHL)
Petition for review denied.		
S143595	G036617 Fourth Appellate District, Div. 3	THOMAS v. S.C. (PEOPLE)
Petition for review denied.		
S143634	G035876 Fourth Appellate District, Div. 3	D. (AVA), IN RE
Petition for review denied.		
S143638	B190719 Second Appellate District, Div. 3	LAPONTE (JOHN) ON H.C.
Petition for review denied.		
S143684	B180576 Second Appellate District, Div. 5	ASH v. HOAG PROPERTY MANAGEMENT
Petition for review denied.		

S143698 A108701 First Appellate District, Div. 3
Petition for review denied.

PEOPLE v. MULDROW

S143699 C052514 Third Appellate District
Petition for review denied.

YONAI (JASON DAVID) ON H.C.

S143701 C052594 Third Appellate District
Petition for review denied.

REED (ALONZO) ON H.C.

S143702 C052558 Third Appellate District
Petition for review denied.

YONAI v. S.C. (PEOPLE)

S143703 A113773/A113578 First Appellate District, Div. 2
Petition for review denied.

YONAI (JASON DAVID) ON H.C.

S143740 C052631 Third Appellate District
Petition for review denied.

SIMMS (TERRELL) ON H.C.

S143748 B179999 Second Appellate District, Div. 6
Petition for review denied.

PEOPLE v. HERNANDEZ

S143750 A111249 First Appellate District, Div. 1
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. LANGFORD

S143752 H028153 Sixth Appellate District
Petition for review denied.

**RAMSAY HIGHLANDER v. FRESH
EXPRESS**

S143759 E039843 Fourth Appellate District, Div. 2
Petition for review denied.

LOWES HIW, INC. v. S.C. (PETTY)

S143765 F047850 Fifth Appellate District
Petition for review denied.

PEOPLE v. BAILEY

S143768 B182240 Second Appellate District, Div. 5 **ENGINE CLEAN TECHNOLOGIES
v. ESSEX INSURANCE COMPANY**

Petition for review denied.

S143769 B180359 Second Appellate District, Div. 4 **PEOPLE v. GARCIA**
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S143770 E035918 E036214/Fourth Appellate District, Div. 2 **PEOPLE v. LEWIS**
Petition for review denied.

S143772 B190814 Second Appellate District, Div. 2 **DEPARTMENT OF CHILDREN
AND FAMILY SERVICES v. G.,
BRENDA**

Petition for review denied.

S143789 A107671 First Appellate District, Div. 5 **PEOPLE v. HUGHES**
Petition for review denied.

S143791 B183937 Second Appellate District, Div. 5 **PEOPLE v. THOMAS**
Petition for review denied.

S143793 F047076 Fifth Appellate District **PEOPLE v. PIMENTEL**
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S143794 C049757 Third Appellate District **PEOPLE v. ACOSTA**
Petition for review denied.

S143797 H028676 Sixth Appellate District **PEOPLE v. SEARS**
Petition for review denied.

S143798 C049119 Third Appellate District **PEOPLE v. ROBINSON**
Petition for review denied.

S143799 G034533 Fourth Appellate District, Div. 3
Petition for review & depublication request denied.

FAIRFAX v. LORDS

S143801 B181625 Second Appellate District, Div. 6
Petition for review denied.

PEOPLE v. WILLIAMS

S143802 H029259 Sixth Appellate District
Petition for review denied.

PEOPLE v. HO

S143805 D045993 First Appellate District, Div. 1
Petition for review denied.

PEOPLE v. JORDAN

S143807 B181614 Second Appellate District, Div. 6
Petition for review denied.

PEOPLE v. EDISON

S143810 A106797 First Appellate District, Div. 2
Petition for review denied.

PEOPLE v. ROMERO

S143812 F047031 Fifth Appellate District
Petition for review denied.

KELTON v. STRAVINSKI

S143813 B183085 Second Appellate District, Div. 2
Petition for review denied.

**BRADFORD v. TOYOTA MOTOR
CREDIT CORPORATION**

S143818 H027073/H027366/H028003/Sixth Appellate District
Petition for review denied.

**LAM RESEARCH CORPORATION
v. DALLAS SEMICONDUCTOR
CORPORATION**

S143823 B184625 Second Appellate District, Div. 6
Petition for review denied.

PEOPLE v. ZUNIGA

S143828 B190505 Second Appellate District, Div. 3
Petition for review denied.

YOON v. S.C. (PEOPLE)

S143831 H028143 Sixth Appellate District
Petition for review denied.

PEOPLE v. SULLIVAN

S143833 G034403 Fourth Appellate District, Div. 3
Petition for review denied.

JACOBS v. RACKAUCKAS

S143834 B178856 Second Appellate District, Div. 6
Petition for review denied.

PEOPLE v. SOLIS

S143835 A113465 First Appellate District, Div. 2
Petition for review denied.

WILSON (KEVIN J.) ON H.C.

S143836 A106946 First Appellate District, Div. 5
Petition for review denied.

PEOPLE v. COLE

S143837 B179703 Second Appellate District, Div. 3
Petition for review denied.

BALASSY v. SHUKERJAV

S143843 B183316 Second Appellate District, Div. 3
Petition for review denied.

PEOPLE v. GREEN

S143847 H028621 Sixth Appellate District
Petition for review denied.

PEOPLE v. ALDAMA

S143849 C050631 Third Appellate District
Petition for review denied.

P. (DONYAE), IN RE

S143854 B190757 Second Appellate District, Div. 8
Petition for review denied.

**DONALD T. STERLING
CORPORATION v. S.C. (SABI)**

Baxter, J., is of the opinion the petition should be granted.

S143857 F047650 Fifth Appellate District
Petition for review denied.

BOYDSTUN v. ABBOTT

S143863 G034959 Fourth Appellate District, Div. 3
Petition for review denied.

PEOPLE v. CAVALLARO

S143868 D046698 Fourth Appellate District, Div. 1
Petition for review denied.

PEOPLE v. BURTON

S143871 C046386 Third Appellate District
Petition for review denied .

PEOPLE v. NORMAN

S143920 D045495 Fourth Appellate District, Div. 1
Petition for review denied.

PEOPLE v. VAUGHT

S143922 E036898 Fourth Appellate District, Div. 2
Petition for review denied.

PEOPLE v. MARTIN

S143923 A113854 First Appellate District, Div. 1
Petition for review denied.

WHITE (DARRELL V.) ON H.C.

S143924 B181123 Second Appellate District, Div. 5
Petition for review denied.

PEOPLE v. BALDWIN

S143928 H028589 Sixth Appellate District
Petition for review & depublication request denied.

CAULEY, MARRIAGE OF

S143938 C052636 Third Appellate District
Petition for review denied.

CASTELLANOS (RAUL) ON H.C.

S143941 B182797 Second Appellate District, Div. 5
Petition for review denied.

PEOPLE v. CHAMBERS

S143943 A113895 First Appellate District, Div. 3
Petition for review denied.

WASHINGTON WIZARDS v. W.C.A.B

Corrigan, J., was recused and did not participate.

S143944 C048693 Third Appellate District
Petition for review denied.

PEOPLE v. LOCKE

S143945 A112079 First Appellate District, Div. 1
Petition for review denied.

M. (OSCAR), IN RE

S143947 F048758 Fifth Appellate District
Petition for review denied.

E. (DAKOTA), IN RE

S143948 B179251 Second Appellate District, Div. 8
Petition for review denied.

PEOPLE v. JOHNSON

S143950 A109850 First Appellate District, Div. 3
Petition for review denied.

PEOPLE v. YOUNG

S143954 F048960 Fifth Appellate District
Petition for review denied.

T. (COREY) IN RE

S143958 B179732 Second Appellate District, Div. 6
Petition for review denied.

PEOPLE v. GUTIERREZ

S143972 A113920 First Appellate District, Div. 1

**BARRETT v. S.C. (JEWISH
FAMILY & CHILDRENS
SERVICES)**

Petition for review denied.

S143975

**FREY v. CLERK OF SUPREME
COURT (CITY OF LOS ANGELES)**

Petition for review denied.

S143977 E036935 Fourth Appellate District, Div. 2
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. ROBLES

S143985 A109915 First Appellate District, Div. 4
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. GUTIERREZ

S143988 A110209 First Appellate District, Div. 2
Petition for review denied.

PEOPLE v. CHEEKS

S143989 F048374 Fifth Appellate District
Petition for review denied.

PEOPLE v. WRIDE

S143990 B183238 Second Appellate District, Div. 1
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. REED

S143991

**ARAFILES v. DEPARTMENT OF
CORRECTIONS**

Petition for writ of mandate/prohibition denied.

S143993 A111082 First Appellate District, Div. 5
Petition for review denied.

MALLICK v. GUTIERREZ

S143994 H028499 Sixth Appellate District
Petition for review denied.

PEOPLE v. SIMMONS

S143998 H029187 Sixth Appellate District
Petition for review denied. Request for judicial notice granted.

R. (K.), IN RE

S144001 E037207 Fourth Appellate District, Div. 2
Petition for review denied.

PEOPLE v. RANSELLE

S144006 B183838 Second Appellate District, Div. 6
Petition for review denied.

PEOPLE v. JACKSON

S144007 A109208 First Appellate District, Div. 1
Petition for review denied.

PEOPLE v. PEREZ

S144010 A108457 First Appellate District, Div. 5
Petition for review denied.

PEOPLE v. MCCORD

S144011 B182382 Second Appellate District, Div. 3
Petition for review denied.

PEOPLE v. CHAMALE

S144012 F048369 Fifth Appellate District **PEOPLE v. PITTMAN**
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S144013 B180803 Second Appellate District, Div. 4 **PEOPLE v. ROMERO**
Petition for review denied.

S144015 B180299 Second Appellate District, Div. 3 **SC MANUFACTURED HOMES, INC. v. TREVILLYAN**
Petition for review denied.

S144016 B190175 Second Appellate District, Div. 5 **333 WEISERLOCK v. W.C.A.B. (WEISERLOCK)**
Petition for review denied.

S144017 A112018 First Appellate District, Div. 1 **KHANNA v. STATE BAR OF CALIFORNIA**
Petition for review denied.

S144022 A108765 First Appellate District, Div. 1 **PEOPLE v. BARAHONA**
Petition for review denied.

S144024 B183288 Second Appellate District, Div. 2 **PEOPLE v. LEWIS**
Petition for review denied.

S144026 G035666 Fourth Appellate District, Div. 3 **PEOPLE v. TRAN**
Petition for review denied.

S144040 E037569 Fourth Appellate District, Div. 2 **PEOPLE v. JAIMES**
Petition for review denied.

S144041 B183708 Second Appellate District, Div. 2 **PEOPLE v. GARCIA**
Petition for review denied.

S144051 C046314 Third Appellate District **PEOPLE v. LOWELL**
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S144063 B183546 Second Appellate District, Div. 3 **PEOPLE v. INGRAM**
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S144068 B188909 Second Appellate District, Div. 5 **LOS ANGELES, COUNTY OF v. S.C. (GAVIRA)**
Petition for review denied.

S144088 F050436 Fifth Appellate District **MATHER v. A.B.C. (JOLLY)**
Petition for review and application for stay denied.

S144099 C052675 Third Appellate District **YONAI v. S.C. (PEOPLE)**
Petition for review denied.

S144103 B180951 Second Appellate District, Div. 8 **PEOPLE v. CABRERA**
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S144105 D046797 Fourth Appellate District, Div. 1 **PEOPLE v. LOHMAN**
Petition for review denied.

S144107 A108820 First Appellate District, Div. 3 **DITTMEIER v. MENDOCINO COUNTY DEPARTMENT OF ANIMAL CARE**
Petition for review denied.

S144108 G034965 Fourth Appellate District, Div. 3 **TOURINO v. LAGUNA TERRACE PARK**
Petition for review denied.

S144113 G037072 Fourth Appellate District, Div. 3 **GENERAL ELECTRIC v. S.C.**
(LITALIEN)

Petition for review denied.

Kennard, Chin, and Corrigan, JJ., were recused and did not participate.

S144118 F048238 Fifth Appellate District **PEOPLE v. GARNER**
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

Baxter, J., was recused and did not participate.

S144125 C049502 Third Appellate District **PEOPLE v. RAMIREZ**
Petition for review denied.

S144127 E038486 Fourth Appellate District, Div. 2 **PEOPLE v. RUSSELL**
Petition for review denied.

S144129 F048983 Fifth Appellate District **S. (MICHAEL), IN RE**
Petition for review denied.

S144136 A113690 First Appellate District, Div. 3 **CHEVRON STATIONS v. A.B.C.**
Petition for review and application for stay denied.

Kennard and Corrigan, J.J., were recused and did not participate.

S144147 B186094 Second Appellate District, Div. 6 **PEOPLE v. CALZADILLAS**
Petition for review denied.

S144149 B178292 Second Appellate District, Div. 3 **PEOPLE v. PITTMAN**
Petition for review denied.

S144153 C049994 Third Appellate District **PEOPLE v. PARHAM**
Petition for review denied.

S144173 B182680 Second Appellate District, Div. 6 **PEOPLE v. GOMEZ**
Petition for review denied.

S144177 C048962 Third Appellate District
Petition for review denied.

PEOPLE v. CALL

S144179 B181376 Second Appellate District, Div. 8
Petition for review denied.

**STUDOR, INC. v. LOS ANGELES,
CITY OF**

S144186 D045833 Fourth Appellate District, Div. 1
Petition for review denied.

PEOPLE v. LIGHTFOOT

S144187 A112821 First Appellate District, Div. 4
Petition for review denied.

**SAN MATEO TRANSIT DISTRICT
v. W.C.A.B. (MONTE GILES)**

S144194 D046130 Fourth Appellate District, Div. 1
Petition for review denied.

PEOPLE v. HAMO

S144208 F047716 Fifth Appellate District
Petition for review denied.

**JONES v. CAL-EAGLE
INSURANCE**

Baxter, J., was recused and did not participate.

S144213 B182763 Second Appellate District, Div. 4
Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. ESPINOZA

S144219 B179283 Second Appellate District, Div. 4
Petition for review denied.

PEOPLE v. HIDER

S144235 G034222 Fourth Appellate District, Div. 3
Petition for review denied.

FEDERICO v. BANK OF AMERICA

Chin, J., was recused and did not participate.

S144275 C049227 Third Appellate District
Petition for review denied.

PEOPLE v. JONES

S144276 F039797 Fifth Appellate District

**JONATHAN NEIL & ASSOCIATES
v. JONES**

Petition for review denied.

Baxter, J., was recused and did not participate.

S144298 E037461 Fourth Appellate District, Div. 2 **PEOPLE v. GORTON**

Petitions for review denied. Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S144348 C052763 Third Appellate District
Petition for review denied.

J. (ANTHONY) v. S.C. (PEOPLE)

S144533 H030154 Sixth Appellate District
Petition for review and application for stay denied.

ARTEAGA (LORENZO) ON H.C.

S144852 H030328 Sixth Appellate District
Petition for review and application for stay denied.

**SAN BENITO FOODS v. S.C.
(ACEVEDO)**

S135919
Petition for writ of habeas corpus denied.

CORTEZ (SCOTT D.) ON H.C.

S136008
Petition for writ of habeas corpus denied.

LANG (DANIEL J.) ON H.C.

S136828
Petition for writ of habeas corpus denied.

QUEVEDO (RUBEN) ON H.C.

S136981
Petition for writ of habeas corpus denied.

WHITE (ROBERT JOE) ON H.C.

S137071
Petition for writ of habeas corpus denied.

WICHESTER (WAYNE) ON H.C.

S137106
Petition for writ of habeas corpus denied.

ANDERSON (JAMES W.) ON H.C.

S137107

Petition for writ of habeas corpus denied.

CHATMAN (WALDEN) ON H.C.**S137142**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**KRUZAN (SARA J.) ON H.C.****S137147**

Petition for writ of habeas corpus denied.

GONZALES (OSCAR) ON H.C.**S137150**

Petition for writ of habeas corpus denied.

LUONG (CHANH) ON H.C.**S137166**

Petition for writ of habeas corpus denied.

ROEUNG (BUNTHOEUN) ON H.C.**S137229**

Petition for writ of habeas corpus denied.

MCGINNIS (DANIEL) ON H.C.**S137259**

Petition for writ of habeas corpus denied.

DELEON (ARMANDO) ON H.C.**S137280**

Petition for writ of habeas corpus denied.

DEWEESE (DANA M.) ON H.C.**S137289**Petition for writ of habeas corpus denied. (See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**CLABORN (JERRY JUNE) ON H.C.****S137349**

Petition for writ of habeas corpus denied.

HADDOCK (DONNELL G.) ON H.C.**S137351**Petition for writ of habeas corpus denied. (See *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Rosenkrantz* (2002) 29 Cal.4th 616.)**PERKINS (DARRELL) ON H.C.****S137378**

Petition for writ of habeas corpus denied.

DOTSON (CLOPHER) ON H.C.

S137384

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

RIVERA (JOSE L.) ON H.C.**S137408**

Petition for writ of habeas corpus denied. (See *In re Duarte* (1983) 143 Cal.App.3d 943; *In re Seabock* (1983) 140 Cal.App.3d 29; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

MORENO (RONALD) ON H.C.**S137421**

Petition for writ of habeas corpus denied.

VO (HUNG LE) ON H.C.**S137442**

Petition for writ of habeas corpus denied.

MORALES (JOSE LUIS) ON H.C.**S137444**

Petition for writ of habeas corpus denied.

RIVAS (MARIA A.) ON H.C.**S137452**

Petition for writ of habeas corpus denied.

MONTGOMERY (LANEAR) ON H.C.**S137454**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

CARTER (CHRISTOPHER M.) ON H.C.**S137457**

Petition for writ of habeas corpus denied.

ANZORENA (GERARDO B.) ON H.C.**S137466**

Petition for writ of habeas corpus denied. (See *In re Waltreus* (1965) 62 Cal.2d 218.)

WYATT (CLARENCE) ON H.C.**S137469**

Petition for writ of habeas corpus denied.

MISKAM (TRAVIS G.) ON H.C.**S137470**

Petition for writ of habeas corpus denied. (See *In re Waltreus* (1965) 62 Cal.2d 218.)

SAMPSON (JAMES) ON H.C.

S137472**SMITH (DARREL L.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17. Cal.2d 734; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

S137478**STANDIFER (ERVIN) ON H.C.**

Petition for writ of habeas corpus denied.

S137504**CAMPBELL (TERRY) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Duarte* (1983) 143 Cal.App.3d; *In re Seabock* (1983) 140 Cal.App.3d 29.)

S137506**CEJA (IGNACIO) ON H.C.**

Petition for writ of habeas corpus denied.

S137515**WILHELM (STEVE H.) ON H.C.**

Petition for writ of habeas corpus denied.

S137518**POLETE (ROBERT L.) ON H.C.**

Petition for writ of habeas corpus denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 658, 682-686; *In re Dannenberg* (2005) 34 Cal.4th 1061, 1084, 1097.)

S137527**SHAVER (DAVID) ON H.C.**

Petition for writ of habeas corpus denied.

S137532**BLAZER (SEAN) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)

S137533**DANIELS (YOLANDA) ON H.C.**

Petition for writ of habeas corpus denied.

S137534**BLACKBURN (KEVIN E.) ON H.C.**

Petition for writ of habeas corpus denied..(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S137539**HENDERSON (ROBERT C.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S137542**POGUES (KENNETH L.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Rosenkrantz* (2002) 29 Cal.4th 616, 658, 682-686; *In re Dannenberg* (2005) 34 Cal.4th 1061, 1084, 1097; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S137543**SANCHEZ (CORNELIO) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061.)

S137545**ANGUIANO (GUILLERMO) ON H.C.**

Petition for writ of habeas corpus denied.

S137546**MOLINA (CARLOS) ON H.C.**

Petition for writ of habeas corpus denied.

S137552**DUNN (JULIUS) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S137555**CASTELAN (VICTOR S.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Rosenkrantz* (2002) 29 Cal.4th 616.)

S137601**CARRILLO (MAX) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S137608**DECOTY (BRADLEY) ON H.C.**

Petition for writ of habeas corpus denied.

S137614**BROWN (EUGENE C.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S137737**HEARON (STEVE) ON H.C.**

Petition for writ of habeas corpus denied.

S137739**SHAW (BISHOP E.) ON H.C.**

Petition for writ of habeas corpus denied.

S137751

Petition for writ of habeas corpus denied.

RIVERA (ALFREDO FREDDY) ON H.C.**S137754**Petition for writ of habeas corpus denied. (See *In re Waltreus* (1965) 62 Cal.2d 218.)**CABRAL (ROBERT R.) ON H.C.****S137755**

Petition for writ of habeas corpus denied.

WALKER (NEWELL J.) ON H.C.**S137758**Petition for writ of habeas corpus denied. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Clark* (1993) 5 Cal.4th 750.)**VALENCIA (DANNY) ON H.C.****S137762**Petition for writ of habeas corpus denied. (See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061; *In re Miller* (1941) 17 Cal.2d 734; *In re Duarte* (1983) 143 Cal.App.3d 943; *In re Seabock* (1983) 140 Cal.App.3d 29.)**MORENO (RONALD) ON H.C.****S137763**

Petition for writ of habeas corpus denied.

BRISTOW (DAVID WAYNE) ON H.C.**S137765**

Petition for writ of habeas corpus denied.

MILLER (DONALD A.) ON H.C.**S137771**

Petition for writ of habeas corpus denied.

OATES (JEROME C.) ON H.C.**S137773**

Petition for writ of habeas corpus denied.

THOMAS (NORRIS) ON H.C.**S137814**

Petition for writ of habeas corpus denied.

WILLIAMS (CHARLES) ON H.C.**S137815**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304.)**HALL (LENTON W. R.) ON H.C.**

S137848

Petition for writ of habeas corpus denied.

YOUNG (IAN A.) ON H.C.**S137851**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**KHAM (SOMPHAN) ON H.C.****S137874**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**GUZMAN (FELIX G.) ON H.C.****S137940**

Petition for writ of habeas corpus denied.

WHITE (DENTRAY) ON H.C.**S137992**

Petition for writ of habeas corpus denied.

WARD (JEROME A.) ON H.C.**S138111**

Petition for writ of habeas corpus denied.

BARRON (RONNIE) ON H.C.**S139855**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**SHAVER (DAVID) ON H.C.****S140249**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Lindley* (1947) 29 Cal.2d 709.)**WILLIAMS (CHARLES) ON H.C.****S141386**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**BLAZER (SEAN) ON H.C.****S141646**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**HADDOCK (DONNEL G.) ON H.C.****S141852**Petition for writ of habeas corpus denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Lindley* (1947) 29 Cal.2d 709; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**CHATMAN (WALDEN) ON H.C.**

S143031

Petition for writ of habeas corpus denied.

SAMUEL (EDWARD) ON H.C.**S143035**

Petition for writ of habeas corpus denied.

NEWMAN (CHARLES) ON H.C.**S143289**

Petition for writ of habeas corpus denied.

STANDIFER (ERVIN) ON H.C.**S143968**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**LI (ZHONG JING) ON H.C.****S144046**

Petition for writ of habeas corpus denied.

HOLLOWAY (WAYNE) ON H.C.**S144224**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**JONES (EMMITT) ON H.C.****S144236**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**MCKINNEY (CLYDE) ON H.C.****S144243**

Petition for writ of habeas corpus denied.

JENKINS (HARVEY ZANE) ON H.C.**S144293**

Petition for writ of habeas corpus denied.

MCCOY (GERALD) ON H.C.**S144303**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**MATTHEWS (LANCE) ON H.C.****S144326**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464.)**POST (BRYANT) ON H.C.**

S144344

Petition for writ of habeas corpus denied.

WARD (REGENIAL) ON H.C.**S144355**

Petition for writ of habeas corpus denied.

JENKINS (HARVEY ZANE) ON H.C.**S144408**Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**NEWMAN (CHARLES) ON H.C.****S144428**

Petition for writ of habeas corpus denied.

PERALTA (CION ADONIS) ON H.C.**S144451**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756; *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750.)**SHERMAN (JOE) ON H.C.****S144477**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921; *People v. Gonzalez* (1990) 51 Cal.3d 1179, 1256-1261.)**HENDON (CARLOS) ON H.C.****S144510**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Clark* (1993) 5 Cal.4th 750.)**LI (ZHONG JING) ON H.C.****S144525**

Petition for writ of habeas corpus denied.

TORRES (HECTOR) ON H.C.**S144534**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)**MIMMS (DEMOND) ON H.C.****S144564**

Petition for writ of habeas corpus denied.

WOODS (CARL D.) ON H.C.**S144577**

Petition for writ of habeas corpus denied.

MOSES (ARTHUR C.) ON H.C.

S144582**MOR (TANN) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S144599**PIERCE (SEBREN A.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Clark* (1993) 5Cal.4th 750.)

S144615**ANDERSON (RICKARD D.) ON H.C.**

Petition for writ of habeas corpus denied.

S144616**JUAREZ (DAVID G.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S144618**SMITH (CRAIG A.) ON H.C.**

Petition for writ of habeas corpus denied.

S142538

B185336 Second Appellate District, Div. 7

K. (Z.), IN RE

Publication request denied (case closed).

S142953

B176830 Second Appellate District, Div. 2

B. (SUSAN) v. L.A.U.S.D.

Publication request denied (case closed).

S143131

A108147 First Appellate District, Div. 2

SICILIANO v. TOWN OF TIBURON

Publication request denied (case closed)

S143274

A108680 First Appellate District, Div. 4

**SAMSON v. METALCLAD
INSULATION**

Publication request denied (case closed).

S143567

E039776 Fourth Appellate District, Div. 2

**CITY OF PALM DESERT v. S.C.
(INDIAN SPRINGS)**

Publication request denied (case closed).

S143572

B182050 Second Appellate District, Div. 5

**OLDENBURG v. SOUTH GATE,
CITY OF**

Publication request denied (case closed).

S143629 C048587 Third Appellate District

**YEE v. FIRE INSURANCE
EXCHANGE**

Publication request denied (case closed).

S123133 C040754 Third Appellate District

PEOPLE v. BRENDLIN

Time extended to consider modification or rehearing to September 27, 2006, or the date upon which rehearing is either granted or denied, whichever occurs first.

S128640 F043125 Fifth Appellate District

PEOPLE v. WELLS

Time extended to consider modification or rehearing to September 22, 2006, or the date upon which review is either granted or denied, whichever occurs first.

S129110 B167907 Second Appellate District, Div. 4

SAUERESSIG, ESTATE OF

Time extended to consider modification or rehearing to September 20, 2006, or the date upon which review is either granted or denied, whichever occurs first.

S075699

PEOPLE v. MARTINEZ (MIGUEL)

Extension of time granted to September 5, 2006, to file the appellant's reply brief. After that date, only three further extensions totaling about 140 additional days will be granted. Extension is granted based upon Deputy State Public Defender Raoul D. Schonemann's representation that he anticipates filing that brief by January 26, 2007.

S081918

PEOPLE v. MCKINZIE (KENNETH)

Extension of time granted to September 7, 2006, to file appellant's opening brief.

S087533

PEOPLE v. POPS & WILSON

Extension of time granted to August 2, 2006, to file appellant Pop's opening brief.

S135333

AGURO (MASAYUKI) ON H.C.

Extension of time granted on application of counsel for petitioner and good cause appearing, it is ordered that the time to serve and file the petitioner's reply to the informal response is extended to July 31, 2006.

S137055 B169140 Second Appellate District, Div. 2

PEOPLE v. MEDINA

Extension of time granted. The time to file appellant's reply brief on the merits is extended to August 4, 2006.

S139917 A108641 First Appellate District, Div. 5**PROFESSIONAL ENGINEERS IN
CALIFORNIA GOVERNMENT v.
MORALES**

Extension of time granted. On application of amicus curiae Amador County Transportation Commission and good cause appearing, it is ordered that the time to serve and file its application and amicus curiae brief in support of respondents, Jeff Morales et al., is hereby extended to August 26, 2006.

S141483 A107069 First Appellate District, Div. 2**PEOPLE v. ALLEGHENY
CASUALTY**

Extension of time granted. On application of appellant and good cause appearing, it is ordered that the time to serve and file the Appellant's Answer Brief on the Merits is extended to August 16, 2006.

S106274**PEOPLE v. CARO (SOCORRO
SUSAN)**

Counsel appointment order filed. Upon request of appellant for appointment of counsel, Tracy J. Dressner is hereby appointed to represent appellant Socorro Susan Caro for the direct appeal in the above automatic appeal now pending in this court.

S058092**PEOPLE v. HARRIS (MAURICE)**

Motion for access to sealed record granted. Appellant's "Application for an Order Allowing Undersigned Counsel to Inspect and Copy Transcripts Sealed for the Benefit of Appellant," filed on April 5, 2006, is granted. Counsel must supply the personnel and equipment necessary to undertake this examination and copying of the records, which must occur on the premises of the court.

S044693**PEOPLE v. WALL (RANDALL C.)**

Motion denied. The "Motion to Be Relieved From Dual Appointment as Counsel for Appellant and Habeas [Corpus] Petitioner," filed by appointed counsel Darlene M. Ricker in the above pending automatic appeal on April 6, 2006, is denied for failure to comply with Policy 2 ("Withdrawal of counsel") of the Supreme Court Policies Regarding Cases Arising From Judgments of Death. On the court's own motion, the order appointing Ricker as appellate and habeas corpus/executive clemency counsel of record for appellant Randall Clark Wall, filed October 25, 2000, is hereby vacated, and Ricker is hereby referred to the State Bar of California for evaluation of representations submitted to this court concerning work completed by counsel and her stated reasons for delay, and to report on counsel's acceptance of competing appointments in other courts (state and federal) and time spent on those matters during the period in which she was appointed to work on this case. The State Bar shall file a confidential report in this court by September 11, 2006. Michael G. Millman, as Executive Director of the California Appellate Project in San Francisco, is hereby appointed to serve as interim appellate and habeas corpus/executive clemency counsel of record for appellant Randall Clark Wall in the above automatic appeal now pending in this court. Ricker is directed to deliver to Executive Director Millman, within 30 days from the filing of this order, all transcripts in *People v. Wall*, and all appellate and habeas corpus investigation work product (including drafts of arguments and all of her material related to briefing, the list of habeas corpus issues, etc.), trial files, investigation reports, and related materials that she has obtained from appellant Randall Clark Wall or his trial counsel, paralegals, experts and investigators, or from any other source. Ricker's request for appointment of substitute counsel is denied without prejudice.

S044693**PEOPLE v. WALL (RANDALL C.)**

Order filed. In conjunction with the order filed this day vacating the appellate and habeas corpus/executive clemency appointment of Darlene M. Ricker as counsel of record on behalf of appellant Randall Clark Wall in the above automatic appeal now pending in this court, this court retains jurisdiction to consider whether to order Ricker to reimburse this court for hourly fees previously paid but unearned, subject to Ricker's ability to demonstrate to the court that she should be credited, as appropriate, for appellate and/or habeas corpus "work performed that is determined by the court to be of value to the court." (See Payment Guidelines for Appointed Counsel Representing Indigent Criminal Appellants in Cal. Supreme Ct., guideline V ["Court Action Upon Nonperformance of Work, and Reimbursement of Fees Upon Authorized Withdrawal of Appointed Counsel"], subpt. B.) Michael Millman, as Executive Director of the California Appellate Project in San Francisco, is hereby directed to review the work completed by Ricker in this matter and to report to this court regarding how much of that work will be useable by replacement counsel.

S061026**PEOPLE v. MCCURDY (GENE E.)**

Motion to file document under seal denied. Appellant's request to file Claim VIII of his opening brief under seal is denied. The request to unseal certain transcripts and exhibits and to deem Argument VIII filed as a regular, unsealed part of the brief is granted as follows: the clerk of this court is directed to file Claim VIII of appellant's opening brief unsealed. The request to unseal related transcripts and exhibits is denied as unnecessary. The request for judicial notice is denied.

S130722**RUNDLE (DAVID) ON H.C.**

Order filed Petitioner's "Application to Withdraw Volume 7 of Appendices to Petitioner's Reply to the State's Informal Response to Petition for Writ of Habeas Corpus and File Revised Volume" is granted.

S143315**WINTER, ACCUSATION OF**

Petition denied (accusation).

S143412**LANSER, ACCUSATION OF**

Petition denied (accusation).

S143423**ROTHSCHILD, ACCUSATION OF**

Petition denied (accusation).

S143539**GODOY, ACCUSATION OF**

Petition denied (accusation).

S143544**DELAURENTIS, ACCUSATION OF**

Petition denied (accusation).

S143601

Petition denied

(accusation).

MIR, ACCUSATION OF**S143625**

Petition denied

(accusation).

WOOD, ACCUSATION OF**S143633**

Petition denied

(accusation).

GULBENKIAN, ACCUSATION OF**S143676**

Petition denied

(accusation).

SANTIBANEZ, ACCUSATION OF**S143822**

Petition denied

(accusation).

JOHNSON, ACCUSATION OF**S143893**

Petition denied

(accusation).

FESSLER, ACCUSATION OF**S144083**

Petition denied

(accusation).

COVARRUBIAS, ACCUSATION OF**S144084**

Petition denied

(accusation).

EAST, ACCUSATION OF**S144090**

Petition denied

(accusation).

KINDRED, ACCUSATION OF**S144101**

Petition denied

(accusation).

SMITH, ACCUSATION OF**S140918**

Petition for writ of review denied; recommended discipline imposed.

WELLS ON DISCIPLINE**S143119**

Recommended discipline imposed. It is ordered that STEVEN FRANK McNICHOLS AKA STEVEN EVERETT McNICHOLS, State Bar No. 151934, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that

MCNICHOLS ON DISCIPLINE

he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed February 17, 2006. Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S143121**RAINERI ON DISCIPLINE**

Recommended discipline imposed: Disbarred. It is hereby ordered that JOSEPH CHARLES RAINERI, State Bar No. 136192, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S143123**NESIN ON DISCIPLINE**

Recommended discipline imposed. It is ordered that ROBERT BRETT NESIN, State Bar No. 119368, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 60 days as recommended by the Hearing Department of the State Bar Court in its decision filed on February 23, 2006, and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Robert Brett Nesin is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If Robert Brett Nesin is actually suspended for two years or more, he must remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that Robert Brett Nesin take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) If Robert Brett Nesin is actually suspended for 90 days or more, it is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

